

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 3386 - SB 3546**

March 1, 2010

**SUMMARY OF BILL:** Broadens the offense of aggravated cruelty to animals to include all animals as opposed to only non-livestock animals and requires that a person intentionally, rather than knowingly, deprive an animal of food or water in order to commit the offense.

**ESTIMATED FISCAL IMPACT:**

**State Expenditures – Net Impact – Not Significant**

Assumptions:

- Currently aggravated cruelty to animals is punishable as a Class E felony.
- According to the Department of Correction, (DOC), the average operating cost per offender per day for calendar year 2010 is \$59.86. Broadening the existing offense to include all animals will result in one additional Class E felony conviction every five years. Requiring that a person intentionally, rather than knowingly, deprived an animal of food or water in order to commit the offense will result in one less Class E felony conviction every five years.
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.12 percent per year for the past 10 years, yielding a projected compound population growth of 11.78 percent over the next 10 years. No significant incarceration cost increase will occur due to population growth in this period.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on one offender every five years. According to DOC, the average post-conviction time served for a Class E felony is 1.31 years (478.48 days). The annualized cost per conviction is \$5,728.36 (0.20 annual number of convictions x 478.48 days x \$59.86).
- There will be a decrease in state expenditures of \$5,728.36 and an increase in state expenditures of \$5,728.36 resulting in a not significant net impact to state expenditures.

- Any increase in caseloads for the state trial courts can be accommodated within existing resources without an increased appropriation.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J".

James W. White, Executive Director

/lsc